THE HON'BLE SRI JUSTICE V.ESWARAIAH

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WRIT PETITION Nos.11749 and 11583 OF 2005

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DATED: 27-04-2006

WP.No.11749 of 2005

Between:

A.Venkateswarlu . . .Petitioner

and

Ongole Municipality and another . . .Respondents

WP.No.11583 of 2005

Between:

B.Anjaneyulu . . .Petitioner

and

Ongole Municipality . . .Respondent

THE HON'BLE SRI JUSTICE V.ESWARAIAH

WRIT PETITION Nos.11749 and 11583 OF 2005

COMMON ORDER:

These two writ petitions have been filed by different persons questioning the

notification, dated 20-05-2005, calling for tenders for execution of road works in Ongole Municipality.

It is stated that pursuant to the tender notification, dated 21-04-2005, the petitioners became the successful tenderers for certain items, but the same have not been confirmed and the second tender notification, dated 20-05-2005, was issued. Questioning the said tender notification, dated 20-05-2005, these two writ petitions have been filed.

In W.P.No.11749 of 2005, this Court passed an interim order stating to go ahead with the action in pursuance of the impugned tender notification and that if any bidder offers higher price than the petitioner's bid price, then, the tender of the petitioner should be considered. It is stated that if some other tenderers are more successful bidders than the petitioner, their tenders have to be considered, as the petitioner was not entitled to the said tender works.

As the works were already given, on such basis, to the successful bidders, the petitioners are not entitled to any relief in the writ petitions. However, since for no fault of the petitioners, their tender applications pursuant to the earlier tender notification were not confirmed, the respondents shall pass appropriate orders with regard to the return of the EMD made by the petitioners pursuant to the earlier tender notification, dated 21-04-2005.

The writ petitions are accordingly disposed of. No order as to costs.

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(V.ESWARAIAH, J)

27th APRIL, 2006.

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